



PUBLIC NOTICE NO. MT-15-51
December 7, 2015

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**LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE**

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue a wastewater discharge permit to the facility listed in this notice. This permit is issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared a draft permit for the facility listed below. Copies of the draft permit, fact sheet, and environmental assessment are available upon request from the Water Protection Bureau or on the Department's website www.deq.mt.gov.

APPLICANT INFORMATION

APPLICANT: Western Energy Company
PO Box 99
Colstrip, MT 59323

FACILITY NAME: Rosebud Mine

FACILITY LOCATION: Castle Rock Road
Colstrip, MT 59323

RECEIVING WATER: East Fork Armells Creek, Stocker Creek, Lee Coulee,
West Fork Armells Creek, Black Hank Creek, Donley
Creek, Cow Creek, Spring Creek, and Pony Creek

PERMIT NUMBER: MT0023965

This is a major modification of the MPDES permit for the Western Energy Company Rosebud Mine. The facility discharges to East Fork Armells Creek, Stocker Creek, Lee Coulee, West Fork Armells Creek, Black Hank Creek, Donley Creek, Cow Creek, Spring Creek, and Pony Creek. The draft permit was modified based on comments received during public comment period MT-15-41, which ended September 16, 2015. Changes to the draft permit include correction of typographical errors and the addition of water quality-based effluent limitations for total selenium, applicable to outfalls discharging to a specific reach of East Fork Armells Creek that has been studied and reported to have intermittent portions.

As specified in the Administrative Rules of Montana at ARM 17.30.1376, if data, information, or arguments submitted during the public comment period appear to raise substantial new questions concerning a permit, DEQ may reopen the comment period to give interested persons an opportunity to comment on the information or arguments submitted. Therefore, only the information or

arguments submitted during comment period MT-15-41 and DEQ's response to those comments are subject to this public notice and comment period. All other provisions of the draft permit remain unchanged.

PUBLIC COMMENT

Public comments are invited ANYTIME PRIOR TO CLOSE OF BUSINESS January 7, 2015. Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked PRIOR TO CLOSE OF BUSINESS January 7, 2015 will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail the Department at DEQWPBPublicComments@mt.gov.

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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